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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,772	02/05/2002	Kouki Kitazawa	1080.1105	3361

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WASHINGTON, DC 20005

EXAMINER

HAMZA, FARUK

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/062,772	KITAZAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Faruk Hamza	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to the application filed on February 05,2002. Claims 1-30 are now pending.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 3,5-10,13-14,17,19-24,28-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3,5-10,14,17,19-24,28-30 render indefinite because it is indefinite unclear language.

6. It is unclear as to what is meant by the phrase " state of structural elements " in claims 13 and 27. The term " state of structural elements " is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

7. It is unclear as to what is meant by the phrase " discrimination information " in claims 8-10 and 22-24. The term " discrimination information " is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

All the independent claims of 8-10 and 22-24 have same deficiency.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldband et al. (U.S. Patent Number 6,434,532) hereinafter referred as Goldband.

10. Goldband has disclosed:

- <Claim 1>

A client machine connected via a communication line to a server machine providing information, said client machine comprising:

a monitor section monitoring said client machine to collect information involved in said client machine; (Column 4, lines 17-18)

a client side transmission section transmitting the information collected by said monitor section to said server machine; and (Column 4, lines 45-46)

a client side receiving section receiving information provided from said server machine in accordance with the information transmitted from said client side transmission section to said server machine. (Column 4, lines 45-46)

- <Claim 2>

A client machine according to claim 1, wherein said monitor section collects, as the information involved in said client machine, information as to a grasp of utilization of said client machine. (Column 4, lines 17-18)

- <Claim 3>

A client machine according to claim 2, wherein said monitor section collects, as the information as to a grasp of utilization of said client machine, information as to a grasp of utilization of a database constructed in said client machine. (Column 2, lines 3-8).

- <Claim 4>

A client machine according claim 1, wherein said client machine outputs information provided from said server machine, which is received by said client side receiving section. (Column 6, lines 48-59).

- <Claim 5>

A server machine connected via a communication line to a client machine receiving an offer of information, said server machine comprising:

an information management section storing in a predetermined providing information database information to be provided for a client machine in association with information to be transmitted from the client machine; (Column 6, lines 53-59)

a server side receiving section receiving information transmitted from said client machine; and (Fig. 1)

a server side transmission section responsive to a receipt of the information transmitted from said client machine by said server side receiving section, reading from said providing information database information to be provided for said client machine, which is associated with information involved in the received information from said client machine, and transmitting the information read from said providing information database to said client machine. (Column 6, lines 48-59).

- <Claim 6>

A server machine according to claim 5, wherein said information management section stores in said providing information database information indicative of an advice as to utilization of the client machine in form of information to be provided for the client machine. (Column 6, lines 48-59).

- <Claim 7>

A server machine according to claim 5, wherein said client machine accesses a predetermined reference information database constructed in said client machine to obtain information in said reference information database, and (Column 7, lines 54-56)

said information management section stores in said providing information database new information associated with information in said reference information database in form of information to be provided for the client machine. (Column 6, lines 53-59).

- <Claim 8>

A client machine according to claim 1, wherein said client machine further comprises an information reference section referring to information stored in a predetermined reference information database in accordance with an operation, (Column 4, lines 51-62)

said monitor section monitors an access to the information stored in said reference information database based on the operation, (Column 7, lines 54-56)

said client machine further comprises a decision section deciding whether discrimination information indicative of accessed information is to be transmitted to said server machine in accordance with an access monitoring result by said monitor section, and' (Column 4, lines 45-46)



said client side transmission section transmits the discrimination information to said server machine when said decision section decides that the discrimination information is to be transmitted to said server machine. (Column 4, lines 45-46)

- <Claim 9>

A client machine according to claim 8, wherein said monitor section monitors an access to the information stored in said reference information database based on the operation to collect information indicative of a number of times of access as to information, and (Column 7, lines 54-61)

said decision section decides, when information indicative that a number of times of access reaches a predetermined number of times is generated as a result of monitoring by said monitor section, that the discrimination information indicative of accessed information is to be transmitted to said server machine. (Column 7, lines 54-61)

- <Claim 10>

A server machine according to claim 5, wherein said client machine further comprises an information reference section referring to information stored in a predetermined reference information database in accordance with an operation, (Column 4, lines 51-62)

said information management section stores in said providing information database new information associated with information in said reference information database in form of information to be provided for the client machine, (Column 6, lines 53-59)

said server side receiving section receives discrimination information indicative of accessed information by said reference information database in the client machine, and (Fig. 1)

said server side transmission section, responsive to a receipt of the discrimination information by said server side receiving section, reads from said providing information database new information associated with information indicated by the discrimination information, and transmits the new information. (Fig. 1)

- <Claim 11>

A client machine according to claim 2, wherein said monitor collects, as the information as to a grasp of utilization of said client machine, information including a list of software of preinstalled in the client machine and information of install and uninstall of software after initiation of the use of the client machine. (Column 2, lines 3-7)

- <Claim 12>

A client machine according to claim 2, wherein said monitor collects, as the information as to a grasp of utilization of said client machine, information including a setting environment of the client machine and information of alteration of the setting environment of the client machine. (Column 3, lines 15-21)

- <Claim 13>

A client machine according to claim 2, wherein said monitor collects, as the information as to a grasp of utilization of said client machine, information including information indicative of a utilization state of structural elements of the client machine. (Column 4, lines 9-14).

- <Claim 14>

A server machine according to claim 6, wherein said information management section stores in said providing information database information indicative of an advice as to utilization of the client machine in form of information to be provided for the client machine, (Column 6, lines 48-59)

said server side transmission section, responsive to a receipt of the information transmitted from the client machine by said server side receiving section, extracts information as to utilization of the client machine, reads from said providing information database information indicative of an advice for improvement for utilization of the client machine, and transmits the information thus read to the client machine. (Column 6, lines 48-59).

- <Claim 15>

A client program storage medium storing a client program to be executed by a computer connected via a communication line to a server machine providing information, said client program causing said computer to be a client machine, said client machine comprising:

a monitor section monitoring said computer to collect information involved in said computer; (Column 4, lines 3-8)

a client side transmission section transmitting the information collected by said monitor section to said server machine; and (Column 4, lines 3-8)

a client side receiving section receiving information provided from said server machine in accordance with the information transmitted from said client side transmission section to said server machine. (Column 4, lines 7-18).

- <Claim 16>

A client program storage medium according to claim 15, wherein said monitor section collects, as the information involved in said computer, information as to a grasp of utilization of said computer. (Column 4, lines 17-18).

- <Claim 17>

A client program storage medium according to claim 16, wherein said monitor section collects, as the information as to a grasp of utilization of said

client program storage medium, information as to a grasp of utilization of a database constructed in said client program storage medium. (Column 2, lines 3-8).

- <Claim 18>

A client program storage medium according claim 15, wherein said client program storage medium outputs information provided from said server machine, which is received by said client side receiving section. (Column 6, lines 48-59).

- <Claim 19>

A server program storage medium storing a server program to be executed by a computer connected via a communication line to a client machine receiving an offer of information, said server program causing said computer to be a server machine, said server machine comprising:

an information management section storing in a predetermined providing information database information to be provided for a client machine in association with information to be transmitted from the client machine; (Column 6, lines 53-59)

a server side receiving section receiving information transmitted from said client machine; and (Fig. 1)

a server side transmission section responsive to a receipt of the information transmitted from said client machine by said server side receiving

section, reading from said providing information database information to be provided for said client machine, which is associated with information involved in the received information from said client machine, and transmitting the information read from said providing information database to said client machine. (Column 6, lines 48-59).

- <Claim 20>

A server program storage medium according to claim 19, wherein said information management section stores in said providing information database information indicative of an advice as to utilization of the client machine in form of information to be provided for the client machine. (Column 6, lines 48-59).

- <Claim 21>

A server program storage medium according to claim 19, wherein said client machine accesses a predetermined reference information database constructed in said client machine to obtain information in said reference information database, and (Column 7, lines 54-56)

said information management section stores in said providing information database new information associated with information in said reference information database in form of information to be provided for the client machine. (Column 6, lines 53-59).

- <Claim 22>

A client program storage medium according to claim 15, wherein said client machine further comprises an information reference section referring to information stored in a predetermined reference information database in accordance with an operation, (Column 4, lines 51-62)

said monitor section monitors an access to the information stored in said reference information database based on the operation, (Column 7, lines 54-56)

said client machine further comprises a decision section deciding whether discrimination information indicative of accessed information is to be transmitted to said server machine in accordance with an access monitoring result by said monitor section, and (Column 4, lines 45-46)

said client side transmission section transmits the discrimination information to said server machine when said decision section decides that the discrimination information is to be transmitted to said server machine. (Column 4, lines 45-46)

- <Claim 23>

A client program storage medium according to claim 22, wherein said monitor section monitors an access to the information stored in said reference information database based on the operation to collect information indicative of a number of times of access as to information, and (Column 7, lines 54-61)

said decision section decides, when information indicative that a number of times of access reaches a predetermined number of times is generated as a result of monitoring by said monitor section, that the discrimination information indicative of accessed information is to be transmitted to said server machine. (Column 7, lines 54-61).

- <Claim 24>

A server machine according to claim 19, wherein said client machine further comprises an information reference section referring to information stored in a predetermined reference information database in accordance with an operation, (Column 4, lines 51-62)

said information management section stores in said providing information database new information associated with information in said reference information database in form of information to be provided for the client machine, (Column 6, lines 53-59)

said server side receiving section receives discrimination information indicative of accessed information by said reference information database in the client machine, and (Fig. 1)

said server side transmission section, responsive to a receipt of the discrimination information by said server side receiving section, reads from said providing information database new information associated with information



indicated by the discrimination information, and transmits the new information.

(Fig. 1).

- <Claim 25>

A client program storage medium according to claim 16, wherein said monitor collects, as the information as to a grasp of utilization of said computer, information including a list of software of preinstalled in the computer and information of install and uninstall of software after initiation of the use of the computer. (Column 2, lines 3-7).

- <Claim 26>

A client program storage medium according to claim 16, wherein said monitor collects, as the information as to a grasp of utilization of said computer, information including a setting environment of the computer and information of alteration of the setting environment of the computer. (Column 3, lines 15-21).

- <Claim 27>

A client program storage medium according to claim 16, wherein said monitor collects, as the information as to a grasp of utilization of said computer, information including information indicative of a utilization state of structural elements of the computer. (Column 4, lines 9-14).

- <Claim 28>

A server program storage medium according to claim 20, wherein said information management section stores in said providing information database information indicative of an advice as to utilization of the computer in form of information to be provided for the computer, (Column 6, lines 48-59)

said server side transmission section, responsive to a receipt of the information transmitted from the computer by said server side receiving section, extracts information as to utilization of the computer, reads from said providing information database information indicative of an advice for improvement for utilization of the computer, and transmits the information thus read to the computer. (Column 6, lines 48-59).

- <Claim 29>

A server-client system having a server machine providing information and a client machine receiving an offer of information, which are coupled with one another via a communication line, wherein said client machine comprises:

a monitor section monitoring said client machine to collect information involved in said client machine; (Column 4, lines 17-18)

a client side transmission section transmitting the information collected by said monitor section to said server machine; and (Column 4, lines 45-46)

a client side receiving section receiving information provided from said server machine in accordance with the information transmitted from said client side transmission section to said server machine, and (Column 4, lines 45-46)

wherein said server machine comprises:

an information management section storing in a predetermined providing information database information to be provided for a client machine in association with information to be transmitted from the client machine; (Column 6, lines 53-59)

a server side receiving section receiving information transmitted from said client machine; and (Fig. 1)

a server side transmission section responsive to a receipt of the information transmitted from said client machine by said server side receiving section, reading from said providing information database information to be provided for said client machine, which is associated with information involved in the received information from said client machine, and transmitting the information read from said providing information database to said client machine. (Column 6, lines 48-59).

- <Claim 30>

An information processing method in a server-client system having a server machine providing information and a client machine receiving an offer of

information, which are coupled with one another via a communication line, (Fig. 1; Column 1, lines 56-61)

wherein said server machine stores in a predetermined providing information database information to be provided for a client machine in association with information to be transmitted from the client machine, (Column 6, lines 53-59)

said client machine monitors said client machine to collect information involved in said client machine, and transmits the collected information to said server machine, (Column 2, lines 3-7)

said server machine receives the information transmitted from said client machine, reads from said providing information database information to be provided for said client machine, which is associated with information involved in the received information from said client machine, and transmits the information read from said providing information database to said client machine, and (Column 6, lines 48-59)

said client machine receives information provided from said server machine in accordance with the information transmitted from said client machine to said server machine. (Fig. 1; Column 4, lines 45-46)

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Springer (U.S. Patent Number 6,321,262) discloses a system and method for identification and streamlined access to online services.
- Hayes, Jr. (U.S. Patent Number 6,237,092) discloses a client-server system with central application management allowing an administrator to configure user and group context during application configuration
- Prager et al. (U.S. Patent Number 5,838,918) discloses a distributing system configuration information from a manager machine to subscribed endpoint machines in a distributed computing environment
- Piepho et al. (U.S. Patent Number 6,704,401) discloses a system of and method for configuring an automatic appliance.
- Rajan et al. (U.S. Patent Number 6,633,910) discloses a method for enabling real time monitoring and notification of data updates for web-based data synchronization services.
- Watts (U.S. Patent Number 6,327,623) discloses a computer system with environmental detection.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

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